

RESOLUTION NO. 04-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ORDERING THE VACATION OF A CERTAIN STRIP OF LAND DESIGNATED AS A PUBLIC SERVICE EASEMENT DEDICATED TO THE CITY BY THE GRANT DEED FILED FEBRUARY 14, 1967, IN BOOK 7639 PAGE 448, RECORDS OF SANTA CLARA COUNTY CALIFORNIA.

WHEREAS, pursuant to the provisions of Chapter 4 of the California Streets and Highway Code, Section 8330 *et seq.*, the City Council may summarily vacate a public service easement when the easement has not been used for the purpose for which it was dedicated for five (5) consecutive years immediately preceding the proposed vacation, and there are no other public facilities located within the easement; and

WHEREAS, the public service easement was dedicated to the City by the Grant Deed filed February 14, 1967, in Book 7639 Page 448, Records of Santa Clara County California (said Grant Deed is attached hereto as Exhibit "A"); and

WHEREAS, the City Council having duly considered all evidence, and followed the procedure prescribed by law, hereby finds and determines from all evidence submitted that the proposed order of vacation of the public service easement conforms with the provisions of Section 8333 of the California Streets and Highway Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOS ALTOS AS FOLLOWS:

1. That the public service easement the public service dedicated to the City by the Grant Deed filed February 14, 1967, in Book 7639 Page 448, Records of Santa Clara County California, is now no longer necessary because it has not been used for the purpose for which it was dedicated for five (5) consecutive years immediately preceding the proposed vacation, and there are no other public facilities located within the easement.

2. That the City Council, pursuant to Streets and Highway Code, Chapter 4, Section 8330 *et seq.*, hereby orders the vacation of the public service easement described in Exhibit "A" attached hereto; and

3. This Resolution shall become effective on March 23, 2004, and shall be recorded by the City Clerk in the Santa Clara County Recorder's Office shortly thereafter; and

4. From and after the date this Resolution is recorded in the Santa Clara County Recorder's Office, the public service easement shall no longer constitute a public service easement and the land subject to the public service easement shall revert to the property located at 846 Berry Avenue, Los Altos, California, APN 189-12-051, pursuant to Streets and Highway Code Section 8351.

I HEREBY CERTIFY that the forgoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a regular meeting thereof held on the 23rd day of March, 2004, by the following role call vote:

AYES: COLE, PACKARD, CASAS, LEAR, MOSS

NOES: NONE

ABSENT: NONE

APPROVED:



John Moss, Mayor

ATTEST:



Susan Kitchens, City Clerk

3183353

REVISED 2/6/67

RECORDING REQUESTED BY
CITY ENGINEER
CITY OF LOS ALTOS

BOOK 7639 PAGE 448
FILED FOR RECORD
AT REQUEST OF
BOOK 7639 PAGE 448

City of Los Altos

FEB 14 12 58 PM 1967

OFFICIAL RECORDS
SANTA CLARA COUNTY

FEB 27 1967

RECORDER

AND WHEN RECORDED MAIL TO

CITY OF LOS ALTOS
ONE NORTH SAN ANTONIO ROAD
LOS ALTOS, CALIFORNIA

SPACE ABOVE THIS LINE FOR RECORDER'S USE

514

RECORDER'S MEMO
of writing, typing or printing
UNSATISFACTORY in this
document when received.

AFFIX I.R.S. \$.....IN THIS SPACE

Grant Deed

ASSESSOR'S PARCEL 189-12-051

TO 403 C

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
JIMMIE L. NORTON, AND EVANGELINE D. NORTON, his wife, as Individuals

hereby GRANT(S) to the
CITY OF LOS ALTOS, a Municipal Corporation

the following described real property in the
County of Santa Clara, State of California:

3' DEDICATION FOR SIDEWALK PURPOSES ONLY

BEGINNING at a point on the Northeasterly corner of Tract 842 as recorded in Book 33, Page 37 OR (Official Records of the Santa Clara County Recorder);

THENCE, Southerly along the Easterly line of said tract 20.0 feet to the TRUE POINT OF BEGINNING;

THENCE, Easterly along a line parallel to the centerline of Berry Avenue as said Avenue is shown on said Map 80.00 feet to a point;

THENCE, Southerly along a line parallel to the centerline of Golden Way as said road is shown on said Map 3.0 feet to a point;

THENCE, Westerly along a line parallel to said Berry Avenue to the intersection of said line and the Easterly line of said Tract;

THENCE, Northerly along said Easterly line of said tract to the TRUE POINT OF BEGINNING;

Said land situated in the State of California, County of Santa

read as 005acre.

EXHIBIT 7

BOOK 7639 PAGE 449